

REMARKS/ARGUMENTS

The remaining pending rejection presented in the Office Action dated April 9, 2009, (hereinafter Office Action) has been reconsidered. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Without acquiescing to characterizations of the asserted art, Applicant's claimed subject matter, or to the applications of the asserted art or combinations thereof to Applicant's claimed subject matter, Applicant has amended each of the independent claims to characterize that the grip area is determined on a predetermined fixed location on the display. Support for these changes may be found in the instant Specification, for example, at page 4, lines 23-26; therefore, the changes do not introduce new matter. The pending claims are believed to be patentable over the asserted reference for the reasons set forth below.

The asserted reference, U.S. Patent No. 6,075,531 to DeStefano (hereinafter "DeStefano"), does not teach or suggest determining a grip area on a predetermined fixed location on a display, as now claimed in each of the independent claims. In contrast, DeStefano teaches that the asserted grip span is a proximity range dependent upon the location of a user-controlled pointer (Col. 9, line 15, *et seq.*) when the pointer is in a move or resize mode (Col. 6, line 65-Col. 7, line 10). Since the location of DeStefano's grip span is determined by the variable location of the user-controlled pointer, DeStefano's grip span cannot be on a predetermined fixed location on the display, as claimed. Thus, the spontaneous determination of DeStefano's grip span location fails to correspond to the claimed determination of a grip area on a predetermined fixed location on a display.

In addition, Applicant maintains that DeStefano fails to teach detecting activation of the grip area for managing application windows on the display on the basis of a cursor being at least in the vicinity of the grip area. The asserted alignment of DeStefano's pointer to the claimed cursor is inconsistent with the teachings of DeStefano since it would result in DeStefano's pointer always being in a move or resize mode. Any time the pointer (asserted cursor) would be located on the display, a grip area would be activated rendering DeStefano's "normal" mode (with no grip span associated with the pointer) impossible.

Also, the assertion that DeStefano's pointer and grip span are activated by the use of a pointer fails to correspond to activation by a cursor being in the vicinity of a predetermined fixed location on a display. In contrast to the claimed invention, DeStefano teaches that a grip span is activated when a move or resize mode is selected for the pointer. Since DeStefano fails to teach or suggest at least these limitations, the § 102(b) rejection would be improper. Applicant accordingly requests that the § 102(b) rejection be withdrawn.

Dependent Claims 2-7 and 9-14 depend from independent claims 1 and 8, respectively, and also stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by DeStefano. While Applicant does not acquiesce with the particular rejections to these dependent claims, these rejections would also be improper for the reasons discussed above in connection with independent claims 1 and 8. These dependent claims include all of the limitations of their respective base claims and any intervening claims and recite additional features which further distinguish these claims from the cited reference. Therefore, the rejection of dependent claims 2-7 and 9-14 is improper, and Applicant requests that the rejection be withdrawn.

Authorization is given to charge Deposit Account No. 50-3581 (KOL.222.WUS) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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